

REMARKS

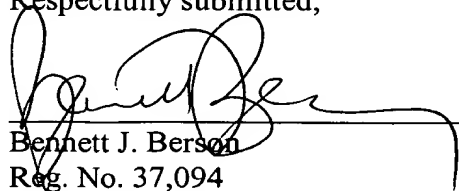
This amendment is filed in conjunction with a Request for Continued Examination in the above-noted matter. A prior Amendment filed on December 29, 2003 and received by the US PTO on January 2, 2004 was entered. Applicants understand that an Advisory Action has been mailed, but is not yet received. In a telephonic conference with the Examiner on February 24, 2004, the undersigned was advised that the Amendment After Final did not persuade the Examiner to allow the claims. Consideration of the newly amended claims is respectfully requested.

In arguing the rejections under 35 U.S.C. §103 in the prior response, applicants noted a distinction between the present claims and the method of Stanforth with regard to metal chloropyromorphite. As was noted in the prior response, Stanforth traps lead from soil or waste in the solid product formed while oxidizing ferrous iron to form a solid ferric iron oxidation product. Applicants do not trap the metal in the product of an oxidation reaction, but rather form an insoluble metal chloropyromorphite product, as the claims now recite. Applicants understand that the Examiner noted this distinction, but indicated in the Advisory Action that the argued distinction did not appear in the presented claims. Claims 1 and 19, amended above, make explicit this distinction from Stanforth. In view of this distinction, a combination of Stanforth and Pisani cannot render obvious the claims because Stanforth does not provide conditions suited to metal chloropyromorphite formation and nothing in Pisani would modify the Stanforth method to arrive at suitable conditions to do so. Applicants do not concede that the curing step of Pisani is an incubation step as recited in the claims.

Accordingly, consideration of the RCE and these amended claims is respectfully requested.

A petition for extension of time for an additional two months submitted herewith. Please charge the fee to Deposit Account No. 17-0055.

Respectfully submitted,



Bennett J. Berson
Reg. No. 37,094
Attorney for Applicants
QUARLES & BRADY LLP
P O Box 2113
Madison, WI 53701-2113

TEL 608/251-5000
FAX 608/251-9166
QBMAD\372040.1